

BOSTON REDEVELOPMENT AUTHORITY

REPORT AND DECISION ON THE APPLICATION OF
CONWAY COURT ASSOCIATES FOR THE AUTHORIZATION
AND APPROVAL OF A PROJECT UNDER MASSACHUSETTS
GENERAL LAWS (TER. ED.), AS AMENDED, AND
CHAPTER 652 OF THE ACTS OF 1960, TO BE UNDERTAKEN
AND CARRIED OUT BY A LIMITED PARTNERSHIP FORMED
UNDER MASSACHUSETTS GENERAL LAWS, CHAPTER 109, AND
APPROVAL TO ACT AS AN URBAN REDEVELOPMENT LIMITED
PARTNERSHIP UNDER SAID CHAPTER 121A.

A. The Hearing: A public hearing was held at 2:00 P. M. on April 3, 1975, in the offices of the Boston Redevelopment Authority, (hereinafter called the "Authority"), at the New City Hall, Room 921, Boston, Massachusetts, by the Authority on an Application, (hereinafter called the "Application"), filed by Alexander H. McNeil and J. Virginia McNeil for Conway Court Associates, (hereinafter called the "Applicants"), for Authorization and Approval of a Redevelopment Project Under Chapter 121A of the General Laws of the Commonwealth of Massachusetts and Chapter 652 of the Acts of 1960, as amended, (hereinafter called the "Project"), due notice of said hearing having been given previously by publication on March 19, 1975 and March 26, 1975, in the Boston Herald American, a daily newspaper of general circulation published in Boston, and mailing postage prepaid in accordance with Rule 8 of the Rules and Regulations of the Authority for Securing the Approval of Chapter 121A Projects, and in accordance with the provisions of Section 13 of Chapter 652 of the Acts of 1960, as amended. Robert L. Farrell, Chairman of the Authority, and Joseph J. Walsh, James G. Colbert, Paul J. Burns and James K. Flaherty, members of the Authority, were present throughout the hearing.

B. The Project: The Project consists of the rehabilitation, operation and maintenance by the Limited Partnership under Chapter 121A of approximately 28 dwelling units of low-moderate income housing primarily for elderly in an existing building located at 1-3 Conway Street in Roslindale. The premises on which the Project is to be located are hereinafter referred to as the "Project Area". The Project is to be financed by the Massachusetts Housing Finance Agency. There is to be rehabilitated approximately 28 dwelling units in one structure with appurtenant facilities. The unit composition will be as follows:

2	efficiency units
11	one-bedroom units
15	two-bedroom units

The makeup and design of the Project are fully shown on the Plans filed herewith as Exhibits G and H.

C. Authority Actions: In passing upon the Application, the Authority has considered the Application itself, all Documents, Plans and Exhibits filed therewith or referred to therein, the oral evidence presented at the Hearing, the Exhibits offered in evidence at the Hearing and the arguments and statements made at the Hearing. The staff of the Authority have also viewed the Project Area.

The Project, as defined in the Application, constitutes a Project within the meaning of Section 1 of Chapter 121A of the General Laws, providing, as it does, for the construction, operation and maintenance of decent, safe and sanitary residential buildings and appurtenant facilities.

D. Project Area Substandard, Decadent and Blighted Open: The Project Area consists of a substandard, dilapidated building. A cessation has occurred of the former use made of the Project Area for residential purposes, and the abandoned buildings is inimical to safety, welfare, and sound growth of the community.

The conditions warrant the carrying out of the Project in accordance with the legislative mandate contained in Chapter 121A of the General Laws and the Application constitutes a Project within the meaning of that law.

The purpose of Chapter 121A and Chapter 652 of the Acts of 1960 will be met by this Project. The demand for decent, safe, and sanitary housing for elderly persons and families at rental levels below those which conventional operations of the real estate market produces in this area of the City is recognized. The Project will be occupied by families of low and moderate income and approximately 25% of the units will be made available pursuant to a long-term agreement with the Boston Housing Authority or through other subsidy to low income families who will receive rent subsidies. The Project will provide adequate financial return to the City of Boston and will increase the tax yield from the Project Area. Exhibit E of the Application sets forth the amounts to be paid by the Agreement to the City of Boston in addition to the excise tax prescribed by Section 10 of Chapter 121A. In summary, the Agreement provides that the Applicant will pay approximately twenty (20%) percent of the gross rents of the Project on account of taxes in each of the forty (40) calendar years next following the year in which construction is completed.

E. Cost of Project: In the opinion of the Authority, the cost of the Project has been realistically estimated in the Application and the Project is practicable. The estimated cost is \$728,000. The Project is to be built under a mortgage financing program of the Massachusetts Housing Finance Agency and subsidized with mortgage interest subsidy for all of the apartments pursuant to that Agency's statute. The Application contains a form of Partnership Agreement illustrating, in a general fashion, the organization framework of the Partnership to be called Conway Court Associates. Experience with similar financing and organizational methods persuades the Authority that the financing program is realistic.

F. Consistency With Master Plan: It has been determined that the Project does not conflict with the Master Plan of the City of Boston since the Project Area comes within a classification in the Master Plan which permits buildings and uses of the kind proposed by the Applicants.

G. Effect Of The Project: The Project will not be detrimental to the best interests of the public or the City or to the public safety or conscience or be inconsistent with the most suitable development of the City. The carrying out of the Project will replace the present decadent conditions of the Project Area with suitable accommodation for elderly persons, of which there is presently a recognized shortage in the general area. The design and proposed occupancy of the Project have been reviewed by the Design Review Staff of the Authority and are subject to further Design Review. Design and Planning Staff have taken

community reaction to the Project into consideration. The Authority finds that the Project will enhance the general appearance of the Area and furnish attractive and necessary living accommodations.

The Project does not include land within any location approved by the Department of Public Works for the extension of the Massachusetts Turnpike into the City of Boston.

The carrying out of the Project will not of itself involve the destruction of the building occupied in whole or in part as dwellings, since this is the rehabilitation of an existing structure.

H. Environmental Considerations: Conformably with the provisions of Sections 61 and 62 of Chapter 30 of the General Laws (as amended by Chapter 781 of the Acts of 1972), and the Regulations thereunder as adopted by the Authority on April 11, 1974, the Authority has made an environmental examination which contains, among others, the following findings:

1. The Project does not adversely affect any recreational areas or any aesthetic values in the surrounding area.
2. No natural or man-made places are affected by the Project.
3. The Project affects no archeological or historic features.
4. The Project does not affect the potential use, extraction, or conservation of a scarce natural resource.
5. The Project Area serves no rare or endangered wildlife or fish species.
6. The site is urban and contains no significant fish, wildlife or plant life.

7. The Project will not require deviations from the Zoning Code of the City of Boston.
8. The Project does not involve the disposal of potentially hazardous materials.
9. The Project does not involve the construction of facilities in a flood plain.
10. The Project, except necessarily during the construction phase, does not result in the generation of a significant amount of noise.
11. The Project does not result in a deleterious effect on the quality of any portion of the State's air or water resources.
12. The Project does not affect an area of important scenic value.

The Applicant has submitted an Environmental Assessment Form to and received approval from the Massachusetts Housing Finance Agency. The Authority has reviewed the Environmental Impact of the Project pursuant to Sections 61 and 62 of Chapter 30 of the Massachusetts General Laws and adopts the Environmental Assessment Form as submitted and hereby determines that the Project would not cause any significant environmental damage. The Environmental Assessment Form has also been submitted to the Secretary of Environmental Affairs, who has determined that the decision not to prepare an environmental impact report adequately and properly complies with provisions of the State regulations. The Authority concurs in the Secretary's findings and has determined that in view of that finding all requirements of State law have been satisfied and no additional publication will be made concerning the

environmental evaluation of this Project.

I. Minimum Standards: The minimum standards for financing, construction, maintenance, and improvement of the Project, as set forth in Exhibit D filed with and attached to the Application, are hereby adopted and imposed as Rules and Regulations (in addition to those hereinafter adopted and imposed) applicable to this Project for the same period as the Project is subject to the provisions of Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended.

In addition to the minimum standards set forth in Exhibit D, the Authority hereby requires that the Applicant, prior to obtaining a building permit, (1) enter into a Regulatory Agreement with the Authority pursuant to the requirements of General Laws, Chapter 121A, Section 18C and containing such other terms and conditions as the Authority may in its discretion deem necessary and appropriate; (2) submit to the Authority for its review and approval such Plans and Specifications for the Project as the Authority may require, and accept such changes and modifications thereto as the Authority may deem necessary or appropriate; and (3) adhere to such Design Review Controls and Requirements as the Authority may in its discretion impose.

The carrying out of the Project will not require the erection, maintenance, and use of a garage within 500 feet of one or more buildings occupied in whole or in part as a public or private school having more than 50 pupils, or as a public or private hospital having more than 25 beds, or as a Church.

The Project does not involve the construction of units which constitute a single building under the Boston Building Code and Zoning Laws, and the carrying out of the Project will not require a declaration by the Authority, with the approval of the Mayor, that such units constitute separate buildings for the purpose of Chapter 138 of the General Laws.

MEMORANDUM

MAY 1, 1975

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: CONWAY COURT ASSOCIATES
APPROVAL OF 121A REPORT AND DECISION AND
DETERMINATION OF NO SIGNIFICANT ENVIRONMENTAL IMPACT

On April 3, 1975, a public hearing was held for approval of a Project to be developed by Conway Court Associates pursuant to Chapter 121A of the Massachusetts General Laws.

The Applicants, Alexander H. McNeil and J. Virginia McNeil, are forming a limited partnership to be called Conway Court Associates and through this entity are planning to rehabilitate 18 apartment units within an existing building located at 1-3 Conway Street in Roslindale. The Project is to provide low and moderate income housing and to be financed by the Massachusetts Housing Finance Agency.

The Authority has also made inquiry as to the environmental impact of the Project pursuant to Sections 61 and 62 of Chapter 30 of the Massachusetts General Laws. The proposal for Conway Court Associates has thus been examined both as to its environmental impact and as to its compliance with 121A criteria and is found to be fully acceptable.

It is therefore appropriate at this time that the Authority adopt a Report and Decision for Conway Court Associates and approve the Project as having no significant environmental impact.

An appropriate Vote follows:

VOTED: That the document presented at this meeting entitled, "Report and Decision on the Application of Conway Court Associates for Authorization and Approval of a Project Under Massachusetts General Laws (Ter. Ed.), As Amended, and Chapter 652 of the Acts of 1960, to be Undertaken and Carried Out by a Limited Partnership Formed Under Massachusetts General Laws, Chapter 109, and Approval to Act as an Urban Redevelopment Limited Partnership Under said Chapter 121A", which Report and Decision also includes a determination by the Authority that said Project has no significant environmental impact, be and hereby is approved and adopted.